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HEADER:

RR RUEAIIB  
ZNY CCCCC ZOC STATE ZZH  
MSI8388  
RR RUEHC  
DE RUEHBO #6694/01 3011945  
ZNY CCCCC ZZH  
R 281945Z OCT 91  
FM AMEMBASSY BOGOTA  
TO RUEHC/SECSTATE WASHDC 9759  
INFO RUEHCV/AMEMBASSY CARACAS 0369  
RUEHME/AMEMBASSY MEXICO 8473  
RUEHLP/AMEMBASSY LA PAZ 0144  
RUEHPE/AMEMBASSY LIMA 1122  
RUEHQT/AMEMBASSY QUITO 0574  
RHLBAAA/USCINCSO QUARRY HEIGHTS PM  
RUEBWJA/DEPTJUSTICE WASHDC  
RUEKJCS/SECDEF WASHDC  
BT

CONTROLS:

C O N F I D E N T I A L BOGOTA 16694

JUSTICE FOR ICITAP  
STATE PLEASE PASS TO AID FOR AA/LAC, LAC/DI  
SOUTHCOM ALSO FOR POLAD

E.O. 12356: DECL:OADR

REVIEW AUTHORITY: James Cooper, Senior  
Reviewer

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## BODY:

TAGS: PGOV, PREL, SNAR, KJUS, CO  
COMBINE: COMPLETE

SUBJECT: JUSTICE ISSUES

1. (C-ENTIRE TEXT)

2. SUMMARY: MINISTER OF JUSTICE FERNANDO CARRILLO JOINED THE AMBASSADOR, ADCM AND AREP FOR A BREAKFAST MEETING THE MORNING OF OCTOBER 25, 1991. CARRILLO COVERED A NUMBER OF SUBJECTS INCLUDING THE UPCOMING VISIT OF MARK RICHARD, DEP. ASSISTANT ATTORNEY GENERAL, THE ESTABLISHMENT OF A GOC EXECUTIVE COMMITTEE TO REVIEW JUDICIAL REFORM ISSUES, THE FUTURE OF PABLO ESCOBAR, ELECTIONS AND JUDICIAL HAPPENINGS IN THE MINI CONGRESS (SEE SEPTTEL ON THE MINI-CONGRESS). END SUMMARY

VISIT OF MARK RICHARD  
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3. THE AMBASSADOR TOLD CARRILLO THAT RICHARD WOULD BE ARRIVING IN BOGOTA THE EVENING OF OCTOBER 28 AND HOPED TO MEET WITH CARRILLO THE FOLLOWING DAY. RICHARD'S FOCUS IN THAT MEETING WOULD BE THE GOC'S DRAFT CODE OF CRIMINAL PROCEDURE. RICHARD, THE AMBASSADOR SAID, HAD MET WITH HARVARD'S PHIL HAYMANN AND WOULD BE BRINGING WITH HIM HAYMANN'S COMMENTS ON THAT CODE. CARRILLO SAID HE LOOKED FORWARD TO THE DISCUSSION AND WOULD BE PLEASED TO HAVE HAYMANN'S INPUT.

4. THE AMBASSADOR ASKED IF CARRILLO WANTED TO TAKE ADVANTAGE OF RICHARD'S VISIT TO DISCUSS OTHER SUBJECTS SUCH AS "LA QUICA", EVIDENCE SHARING, AND ASSETS SHARING. CARRILLO SAID HE VERY MUCH WANTED A BRIEFING ON THE PROCEEDINGS AGAINST "LA QUICA" TAKING PLACE IN NEW YORK. HE SUGGESTED A MEETING TO INCLUDE HIMSELF, PRESIDENTIAL JURIDICAL ADVISOR LUIS FERNANDO URIBE, INTERNATIONAL AFFAIRS ADVISOR GABRIEL SILVA, DAS CHIEF FERNANDO BRITO, AND SECRETARY GENERAL OF THE PRESIDENCY FABIO VILLEGAS, AND OTHERS TO DISCUSS EVIDENCE SHARING AND ASSET SHARING WOULD BE HELPFUL. (NOTE: EMBASSY IS TRYING TO SCHEDULE THAT MEETING FOR OCTOBER 30.)

EXECUTIVE COMMITTEE  
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5. CARRILLO COMMENTED THAT HE WAS INTENT ON ESTABLISHING AN EXECUTIVE COMMITTEE WHICH WOULD BE RESPONSIBLE FOR REVIEWING THE ENTIRE JUDICIAL REFORM EFFORT. HE SAID HE HAD HAD A RECOMMENDATION FROM THE FOUNDATION FOR HIGHER EDUCATION (FES) TO ESTABLISH A L5-MEMBER COMMITTEE. AREP COMMENTED THAT L5 MEMBERS WOULD LIKE TO BE

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CUMBERSOME AND CARRILLO WHOLE HEARTEDLY AGREED WITH THAT ASSESSMENT. HE SAID HE WOULD LIKE TO CUT THE COMMITTEE BACK TO ABOUT SEVEN PEOPLE TO INCLUDE THE PROCURADOR GENERAL, THE PRESIDENT OF THE HIGHER JUDICIAL COUNCIL, A SENIOR POLICE OFFICIAL, THE PROSECUTOR GENERAL, SOMEONE FROM THE JUDICIARY, THE PRESIDENT'S JURIDICAL ADVISOR. AREP ASKED THAT CARRILLO PUT IN WRITING THE ESTABLISHMENT AND MEMBERSHIP OF THIS COMMITTEE AS THAT WAS A PREREQUISITE FOR DISBURSING THE MAJORITY OF AID'S JUDICIAL REFORM MONIES. THE AMBASSADOR ADDED THAT THE EXECUTIVE COMMITTEE WOULD BE AN IMPORTANT BODY IN DECIDING COLOMBIAN POLICY. HE ALSO WANTED TO HAVE A CHANNEL FOR REGULAR DISCUSSIONS WITH CARRILLO TO ASSURE THAT THE U.S./COLOMBIAN PROGRAMS WERE WELL COORDINATED AND FUNCTIONING AS ENVISAGED. CARRILLO READILY AGREED.

PABLO ESCOBAR  
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6. CARRILLO SAID THE GOC HAD DEVELOPED 47 CHARGES AGAINST ESCOBAR. THESE CHARGES INCLUDE THE SEPARATE ASSASSINATIONS OF MINISTER OF JUSTICE LARA BONILLA AND PRESIDENTIAL CANDIDATE LUIS CARLOS GALAN. THEY ALSO INCLUDE THE ASSASSINATION ATTEMPT ON FORMER DAS CHIEF GENERAL MAZA AND THE MOTHER'S DAY BOMBING OF A SHOPPING CENTER. THE 47 CHARGES HAVE BEEN DEVELOPED SOLELY ON THE EVIDENCE GATHERED IN COLOMBIA AND ARE APART FROM CHARGES THAT WILL BE DEVELOPED BASED ON U.S.-PROVIDED EVIDENCE.

7. CARRILLO NOTED THAT ESCOBAR WOULD NOT BE ELIGIBLE FOR A REDUCTION IN SENTENCE FOR ANY CRIME FOR WHICH HE IS CONVICTED BUT FOR WHICH HE HAD MADE NO CONFESSION. NEVERTHELESS, THE INTERROGATION OF ESCOBAR WAS CONTINUING AND THE OPPORTUNITY FOR ESCOBAR TO CONFESS TO CRIMES REMAINED. ESCOBAR'S LAWYERS, HOWEVER, DO NOT HAVE ACCESS TO THE CHARGES AND EVIDENCE BEING PREPARED BY THE GOC. CARRILLO SUGGESTED ESCOBAR'S LAWYERS MIGHT ANTICIPATE SOME OF THE CRIMES ON WHICH THE GOC IS DEVELOPING EVIDENCE AND HAVE ESCOBAR CONFESS TO THOSE. CARRILLO REFUSED TO SPECULATE ON THE LENGTH OF SENTENCE ESCOBAR MIGHT RECEIVE.

8. CARRILLO THANKED AMBASSADOR AND ADCM FOR HAVING ARRANGED THE TRIP TO THE U.S. FOR VICE MINISTER OF JUSTICE EDUARDO MENDOZA AND MINISTRY OFFICIAL DARIO ECHEVERRI. CARRILLO SAID THE TRIP HAD BEEN EXCELLENT AND THAT THE GOC WAS ALREADY MOVING TO TIGHTEN ITS CONTROLS OF ENVIGADO PRISON. CARRILLO SAID THAT THE GOC WANTED NEW CONTROLS IN PLACE BEFORE ESCOBAR REALIZED THE BREADTH OF THE EVIDENCE AGAINST HIM.

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PRISON DIRECTOR  
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9. CARRILLO SAID THE GOC WAS FIRM IN ITS DECISION TO NAME A MILITARY OFFICER DIRECTOR OF PRISONS. THE SEARCH FOR THAT INDIVIDUAL CONTINUED AS MINISTER OF DEFENSE RAFAEL PARDO WAS RELUCTANT TO RELEASE FROM HIS MILITARY DUTIES THE GOC'S FIRST CHOICE, MARINE COMMANDANT GNECCO. IN THE MEANTIME AN INDIVIDUAL IN WHOM CARRILLO HAS FULL CONFIDENCE HAS BEEN SELECTED TO INITIATE PRISON REFORM MEASURES. IN THE VERY NEAR FUTURE ALL PRISON DIRECTORS WILL BE REPLACED. THE DIRECTOR OF BOGOTA'S MODELO PRISON HAS JUST BEEN FIRED AND WILL BE REPLACED BY THE GOC'S TOP PRISON DIRECTOR WHO IS CURRENTLY IN CARTAGENA. ONCE THE DIRECTORS OF INDIVIDUAL PRISONS HAVE BEEN REPLACED, A NEW OVERALL DIRECTOR WILL BE NAMED. CARRILLO ANTICIPATED THAT THE NEW DIRECTOR WILL BE NAMED IN MID TO LATE NOVEMBER.

ELECTIONS  
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10. COMMENTING ON UPCOMING ELECTIONS, CARRILLO WAS OPTIMISTIC THAT THE LIBERALS WOULD DO WELL, GETTING BETWEEN 45 AND 50 PERCENT OF THE SENATE SEATS AND DOING SLIGHTLY BETTER IN THE LOWER HOUSE. HE PREDICTED THIS ROUND OF ELECTIONS WOULD INDICATE DECLINING POPULAR SUPPORT FOR THE DEMOCRATIC ALLIANCE/M-19. CARRILLO SAID THAT THE NEW POLITICAL RATIOS WOULD PROVOKE SEVERAL, THREE OR FOUR, MINISTERIAL CHANGES.  
BUSBY

ADMIN:

END OF MESSAGE

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